



Department of Homeland Security Office of Inspector General

DHS' Role in State and Local Fusion Centers Is Evolving



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Preface

The Department of Homeland Security (DHS) Office of Inspector General (OIG) was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*. This is one of a series of audit, inspection, and special reports prepared as part of our oversight responsibilities to promote economy, efficiency, and effectiveness within the department.

In response to a congressional request from U.S. Representative Bennie G. Thompson, Chairman of the House Committee on Homeland Security, our report addresses whether DHS is providing adequate oversight and guidance for fusion centers, and what problems and challenges are being encountered as fusion centers develop. It is based on interviews with employees and officials of relevant federal and state agencies and departments, direct observations, and a review of applicable documents.

The recommendations herein have been developed to the best knowledge available to our office, and have been discussed in draft with those responsible for implementation. We hope that this report will result in more effective, efficient, and economical operations. We express our appreciation to all who contributed to the preparation of this report.

A handwritten signature in black ink that reads "Richard L. Skinner".

Richard L. Skinner
Inspector General

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Abbreviations

CBP	U.S. Customs and Border Protection
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
I&A	Office of Intelligence and Analysis
ICE	U.S. Immigration and Customs Enforcement
OIG	Office of Inspector General
TSA	Transportation Security Administration
USCG	United States Coast Guard
USCIS	U.S. Citizenship and Immigrations Services



Department of Homeland Security
Office of Inspector General

Executive Summary

Improving intelligence gathering and information sharing at all levels of government has been a major concern and priority since the terrorist attacks of September 11, 2001. To promote greater information sharing and collaboration among federal, state, and local intelligence and law enforcement entities, state and local authorities established fusion centers throughout the country. These centers are a collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing its ability to detect, prevent, investigate, and respond to criminal and terrorist activity.

In June 2006, the Secretary of the Department of Homeland Security signed an implementation plan to support state and local fusion centers and designated the Office of Intelligence and Analysis as the executive agent for managing the department's role in the nationwide Fusion Center Initiative. The department's fusion center program is intended to provide information, people, technology, and other resources to fusion centers to create a web of interconnected information nodes across the country.

At the request of Representative Bennie G. Thompson, Chairman of the House Committee on Homeland Security, we assessed whether the Department of Homeland Security is providing adequate oversight and guidance for fusion centers, and what problems and challenges are being encountered as fusion centers develop. Specifically, we determined: (1) the extent to which the department's Office of Intelligence and Analysis has been working to coordinate and develop its relationship and role with fusion centers; (2) whether fusion center funding and activities are aligned to further the department's mission; (3) the merits of detailing Office of Intelligence and Analysis staff to fusion centers; and (4) whether the Office of Intelligence and Analysis is successful in backfilling positions used to staff fusion centers.

Office of Intelligence and Analysis coordination efforts with fusion centers are improving and evolving, and its intelligence officers assigned to fusion centers have added value. However, challenges remain with internal Department of Homeland Security coordination, aligning fusion center activities and funding with the department's mission, and deploying personnel to state and local fusion centers in a timely manner.

We are making seven recommendations to assist the Under Secretary for Intelligence and Analysis in improving the overall effectiveness of the Department of Homeland Security's fusion center program. In response to our report, the Office of Intelligence and Analysis has proposed plans and taken action that, once fully implemented, will reduce a number of the deficiencies we identified. The Office of Intelligence and Analysis concurred with all seven recommendations.

Background

Improving intelligence gathering and information sharing at all levels of government has been a major concern and priority since the terrorist attacks of September 11, 2001. The *Homeland Security Act of 2002* established the Department of Homeland Security (DHS) and charged it with coordinating activities and improving information sharing efforts among federal, state, local, and tribal government agencies and the private sector. Furthermore, the National Commission on Terrorist Attacks upon the United States, the 9/11 Commission, concluded that a lack of information sharing contributed to the inability to prevent the attacks. Moreover, in its 2004 final report, the 9/11 Commission promoted the value of state and local agencies in the information sharing process and recommended that DHS have the responsibility of coordinating these efforts.¹

Establishing Fusion Centers

Information sharing has become the primary means to detect, identify, and assess terrorist threats to and vulnerabilities of the homeland. To promote greater information sharing and collaboration among federal, state, and local intelligence and law enforcement entities, state and local authorities established fusion centers throughout the country.

Fusion centers are “a collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activity.”² They are joint multi-jurisdictional information centers that combine data from various sources and disciplines. The term *fusion* refers to the process of managing the flow of information and intelligence across all levels and sectors of government and private industry, and through analysis, provides meaningful intelligence.

Legislation and Initiatives To Facilitate Information Sharing

To aid information sharing efforts further, Congress enacted the *Intelligence Reform and Terrorism Prevention Act of 2004*. This Act established the Information Sharing Environment within the Office of the Director of National Intelligence.³ The Information Sharing Environment

¹ *The 9/11 Commission Report*, July 2004. <http://govinfo.library.unt.edu/911/report/911Report.pdf>.

² DHS and the Department of Justice, *Fusion Center Guidelines*, August 2006.

³ Public Law 108-458 § 1016.

is “an approach that facilitates the sharing of terrorism information.”⁴ The Implementation Plan for the Information Sharing Environment envisions that the federal government will promote the establishment of a nationwide and integrated network of state and major urban area fusion centers to facilitate effective terrorism information sharing. This network of fusion centers would house federal, state, and local law enforcement and intelligence resources to provide useful sources of law enforcement and threat information, facilitate information sharing across jurisdictions and functions, and establish a conduit among federal, state, and local agencies.

Recognizing that state and local governments are vital partners in information sharing, federal agencies such as DHS, the Department of Justice, and the Office of the Director of National Intelligence have collaborated to assist in establishing and sustaining fusion centers.

Creating Fusion Center Guidance and Information Sharing Requirements

On December 16, 2005, the President issued a memorandum prescribing the guidelines and requirements supporting the creation and implementation of the Information Sharing Environment.⁵ The President directed the heads of executive departments and agencies to work actively to create a culture of information sharing within their respective departments or agencies by assigning personnel and dedicating resources to terrorism-related information sharing. The President’s guidelines recognized that state, local, and tribal authorities are critical to the nationwide efforts to prevent future terrorist attacks and are the first to respond when an attack occurs.

In August 2006, DHS and the Department of Justice published the *Fusion Center Guidelines* to help direct and provide assistance to developing fusion centers. These guidelines delineate 18 recommended elements for establishing and operating fusion centers. The guidelines are intended to improve consistency among the many different state and local fusion centers, enhance coordination, strengthen regional and national partnerships, and improve fusion center capabilities.

⁴ Program Manager for the Information Sharing Environment, accessed March 28, 2008.
<http://www.ise.gov/pages/organization.html>.

⁵ “Memorandum for the Heads of Executive Departments and Agencies: Guidelines and Requirements in Support of the Information Sharing Environment,” Office of the Press Secretary, December 16, 2005.
<http://www.whitehouse.gov/news/releases/2005/12/20051216-10.html>.

Developing a Strategy for Information Sharing With Fusion Centers

In October 2007, the President issued the first *National Strategy for Information Sharing*⁶ to prioritize and unify the Nation's efforts to advance terrorism-related information sharing. The strategy integrates Information Sharing Environment-related initiatives and sets forth a national plan to build on progress made in improving information sharing and establishing an integrated national information sharing capability. The *National Strategy* emphasizes that information on homeland security, terrorism, and law enforcement related to terrorism can come from multiple sources and all levels of government.

The *National Strategy* designates fusion centers as vital assets critical to information sharing and antiterrorism efforts, and as the primary state and local focal points for receiving and sharing of terrorism-related information. As a part of the *National Strategy*, the federal government recommends that fusion centers achieve a baseline capability level and become interconnected with the federal government and each other. This collaboration is intended to create a nationwide, integrated network of fusion centers to enable the effective sharing of terrorism-related information.

As of April 2008, state and local authorities have created 58 fusion centers nationwide. The centers' goals are to blend law enforcement and intelligence information, and coordinate security measures to reduce threats in local communities. Fusion centers vary in size, scope, jurisdiction, capability, and maturity. The missions of these centers also vary. For example, some fusion centers are focused specifically on terrorism-related threats, others deal with information sharing related to all crimes, while other centers focus on addressing all hazards.

DHS' Implementation of the Fusion Center Program

DHS uses the national intelligence and law enforcement communities to support state and local government requirements through its fusion center program. In June 2006, the Secretary signed the *DHS Support Implementation Plan for State and Local Fusion Centers* and designated the Office of Intelligence and Analysis (I&A) as its executive agent for managing the department's role in the nationwide Fusion Center Initiative. The implementation plan identified state and local governments among DHS' primary partners. It also explained DHS' role in supporting and developing state and local partnerships and highlighted domestic

⁶ *National Strategy for Information Sharing: Successes and Challenges in Improving Terrorism-Related Information Sharing*, October 2007. http://www.whitehouse.gov/nsc/infosharing/NSIS_book.pdf

information gathering and analysis as DHS' "unique contribution to the national-level mission" to protect the Nation. Further, the *Implementing Recommendations of the 9/11 Commission Act of 2007* codified the nationwide Fusion Center Initiative and DHS' role in it.⁷

DHS' fusion center program is intended to provide information, people, technology, and other resources to fusion centers to create a nationwide web of interconnected information nodes. DHS views fusion centers as entities that provide critical sources of unique law enforcement and threat information, and facilitate sharing information across federal, state, and local jurisdictions and functions. DHS envisions creating partnerships with all state and local fusion centers to improve information flow between DHS and the fusion centers, and to improve the effectiveness of the centers in general. The goal is to enable DHS and the fusion center network to produce accurate, timely, relevant, and actionable intelligence products and services in support of securing the homeland.

Office of Intelligence and Analysis' Role in DHS' Fusion Center Program

As the executive agent for managing DHS' fusion center program, I&A is responsible for coordinating among its federal, state, local, tribal, and private sector partners to ensure the program's success. Each I&A division has a specific mission that in some way relates to the program. I&A is headed by an Under Secretary, who also serves as the department's Chief Intelligence Officer. The State and Local Program Office, which coordinates the fusion center program, is directed by a program manager.

The State and Local Program Office contains three divisions:

- State and Local Fusion Center Program Management Office;
- Information Sharing Fellows Program; and
- Law Enforcement Liaison Team.

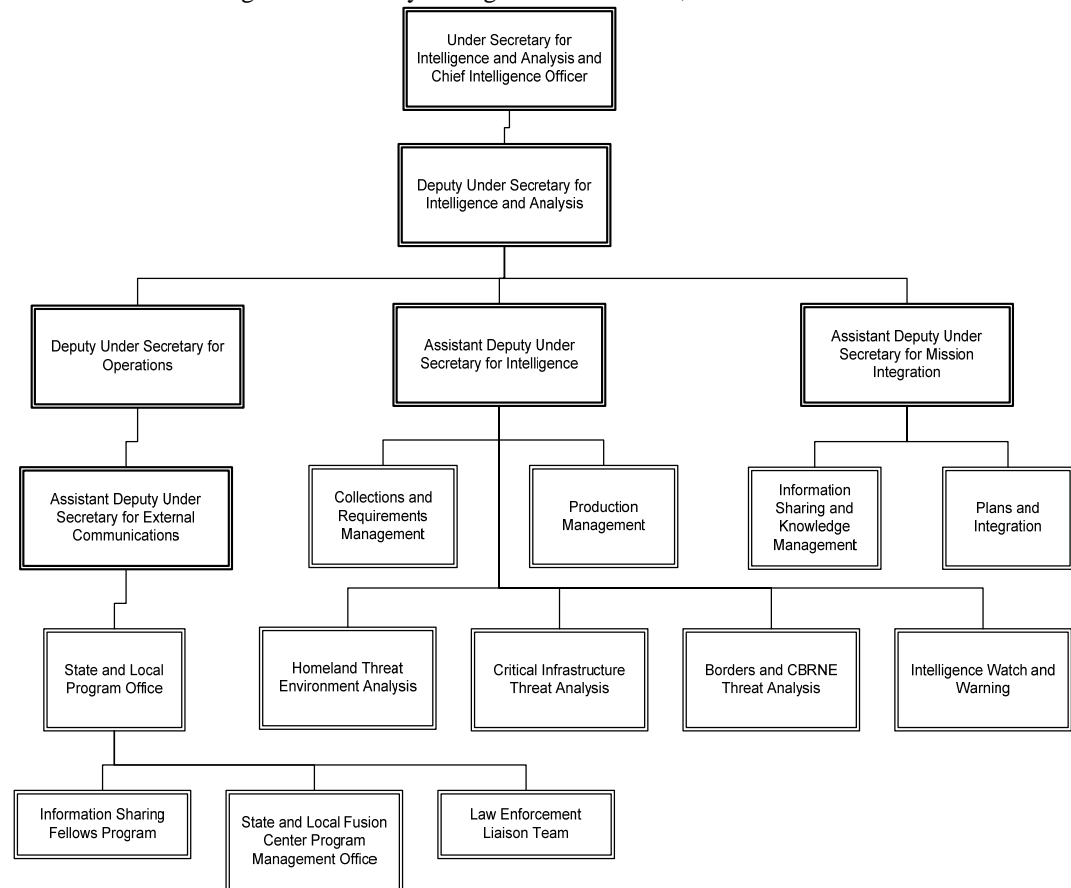
The Program Management Office directs the day-to-day operations of DHS' fusion center program, including the management and coordination of deployed officers and Homeland Secure Data Network⁸ access. Through the Information Sharing Fellows Program, state or local representatives are detailed temporarily to I&A to familiarize state and local entities with DHS missions, capabilities, roles, and programs, and to promote information sharing among federal, state, and local entities. Law Enforcement Liaison Team representatives liaise with state and local law

⁷ Public Law 110-53 § 511.

⁸ The Homeland Secure Data Network is DHS' classified communications network system to which federal, state, and local users can post and manage information.

enforcement entities to advise them about DHS' role in the nationwide Fusion Center Initiative, promote state and local use of DHS systems and databases such as the Homeland Security Information Network,⁹ and improve information sharing. Figure 1 depicts I&A's current organizational chart.

Figure 1: Office of Intelligence and Analysis Organizational Chart, as of March 2008



Source: I&A

DHS Support to Fusion Centers

As part of its support to fusion centers, DHS has provided more than \$254 million, from FY 2004 to FY 2007, to state and local governments.¹⁰ DHS is also deploying personnel to fusion centers to facilitate state and local access to information, technology, and training. The *Implementing Recommendations of the 9/11 Commission Act of 2007* specifies that DHS

⁹ The Homeland Security Information Network is DHS' primary, nationwide information-sharing application for sharing sensitive but unclassified information. The network is composed of more than 35 community-of-interest topic-portals, such as Intelligence, Law Enforcement, and Emergency Management.

¹⁰ DHS State and Local Fusion Center Initiative Web site, accessed May 21, 2008.

http://www.dhs.gov/xinfo/share/programs/gc_1156877184684.shtm.

intelligence officers may be assigned from I&A, the Office of Infrastructure Protection, the Transportation Security Administration (TSA), U.S. Customs and Border Protection (CBP), U.S. Immigrations and Customs Enforcement (ICE), U.S. Coast Guard (USCG), and other DHS components as determined by the Secretary. I&A has deployed intelligence officers to work side by side with state and local authorities at fusion centers and to facilitate the two-way flow of timely, accurate, and actionable information on all types of threats. As of April 2008, I&A has deployed 22 intelligence officers, and the Under Secretary anticipates having 35 officers in major fusion centers nationwide by the end of FY 2008.

At the request of Representative Bennie G. Thompson, Chairman of the House Committee on Homeland Security, we assessed whether DHS is providing adequate oversight and guidance for fusion centers, and what problems and challenges are being encountered as fusion centers develop. Specifically, we examined the following:

- The extent to which I&A has been working to coordinate and develop its relationship and role with fusion centers;
- Whether fusion center funding and activities are aligned to further the department's mission;
- The merits of detailing I&A staff to fusion centers; and
- Whether I&A is successful in backfilling positions used to staff fusion centers.

Results of Review

Fusion Center Coordination Is Improving and Evolving, But Some Challenges Remain

Coordination efforts with fusion centers continue to improve through the combined efforts of I&A and other federal, state, and local information sharing partners. Many state and local fusion center officials praised I&A's efforts on the nationwide Fusion Center Initiative. However, fusion center officials remain concerned that I&A has not developed an action plan to ensure that it understands and can meet the centers' evolving and unique needs. Such needs include receiving adequate and timely information from DHS, assistance in navigating DHS' complex organization, and obtaining initial and ongoing training for state and local analysts. I&A is working to address fusion center coordination needs by improving access to information, responding to Requests for Information, assisting fusion centers in coordinating communications with DHS

components, and developing and offering training opportunities to state and local officials.

Adequate and Timely Information Dissemination Needs Improvement

Fusion centers have experienced difficulty receiving adequate and timely information from DHS. Many fusion center officials we interviewed said that they received irrelevant or outdated information in the past. In addition, center officials could not determine whether the information was adequately processed through all relevant systems or coordinated with other intelligence or law enforcement entities. However, according to I&A officials, I&A is striving to meet the needs of fusion centers. In an April 2008 speech, the Under Secretary for I&A recognized that state and local authorities have been analyzing and acting on information for years and the federal government must aggressively support these endeavors. As a result, I&A plans to increase its support to state and local partners in three main areas: standing information needs, Requests for Information, and use of open source information.

Although much work remains, fusion center officials note many improvements in obtaining timely and relevant information from DHS. For example, a sample of fusion centers are benefiting from a pilot program to improve Request for Information processing and from access to deployed intelligence representatives.

The Request for Information Process Increases Information Support to State and Local Partners

Fusion center officials identified information needs as a primary concern. I&A has taken steps to improve DHS' Request for Information process and implemented a pilot program to refine the department's response to fusion center information requests. Such requests express a need for information that can be satisfied through the exploitation of existing databases or analyses not normally available to the requestor. The requestor may be a person, component, agency, or a group of organizations or stakeholders.

The Request for Information pilot program examined information flows and processes regarding requests, standing information needs, and open source information. The pilot program identified several areas needing improvement, including establishing a single point of entry to submit Requests for Information, improving response time, and training fusion center personnel on how to access information through the Request for Information process.

DHS has established policies, procedures, and responsibilities for departmental processing of Requests for Information. Through the Request for Information pilot process and deployed officers, fusion centers gain assistance in obtaining information from DHS. However, DHS needs to improve the quality and timeliness of DHS information support to fusion centers and establish a single point of service.

Creation of Fusion Cell Within the National Operations Center

I&A accepts, processes, and responds to Requests for Information through the National Operations Center. I&A coordinates with the Office of Operations Coordination, which oversees the National Operations Center. The center collects and processes information from more than 35 federal, state, territorial, tribal, local, and private sector agencies; it is the primary national-level hub for domestic situational awareness, information processing and sharing, communications, and coordination pertaining to terrorist attack prevention and domestic incident management.

Within the National Operations Center, the Fusion Cell serves as the initial entry point for inquiries and requests from deployed I&A officers or fusion center personnel for intelligence and operations information. The Fusion Cell, established in 2007, tasks requests that are deemed “immediate action” within the center. More in-depth requests are forwarded to I&A’s Collection Requirements division for further analysis and delegated to the appropriate responder, such as an analyst in one of I&A analytical divisions, DHS components, or other intelligence community agencies.

The Fusion Cell comprises personnel from the National Operations Center’s Fusion Desk and I&A’s Watch and Warning division. There are two branches within the Watch and Warning division. One branch is the Watch Section, which operates 24 hours per day, 7 days per week to maintain situational awareness. The second branch is the Warning Section, which deals primarily with intelligence threats and notifications to state and local entities, fusion centers, and other homeland security personnel as appropriate. The Warning Section coordinates with the Federal Bureau of Investigation (FBI) on intelligence products. The products are approved by the Under Secretary for I&A, and disseminated by the Watch and Warning division. The Watch Section distributes daily intelligence updates and provides information to DHS representatives in the fusion centers. Both sections focus primarily on domestic threats to fit the state and local fusion center needs. Classified products are distributed through the secure Homeland Secure Data Network.

Request for Information Pilot Project Implemented

Beginning in July 2007, I&A conducted a six-month pilot project to evaluate and improve its Request for Information process. The pilot examined information flows and processes regarding requests, routine information needs, and open source information. It was intended to upgrade the quality and timeliness of DHS information support to fusion centers, and establish a single point of service for fusion centers to submit requests. DHS' State and Local Fusion Center Support Oversight Group, an integrated product team of the Information Sharing and Collaboration Council, was established to provide oversight. The group, composed of I&A division chief managers; senior I&A analysts assigned to the pilot project; and representatives from the National Operations Center, Fusion Desk, ICE, and CBP, monitored the pilot. The group assessed the pilot's operation and acted as necessary to resolve requests, meet fusion center standing information needs, and other issues of significance.

The pilot was conducted at six fusion centers—two in California and one each in Florida, Illinois, Massachusetts, and New York. National Operations Center officials said that all requests were treated with equal importance, whether the request originated from a pilot site or nonpilot site, but pilot-site Requests for Information were tracked separately for statistical purposes and analysis. A senior I&A official said that although the initial pilot officially concluded in December 2007, I&A decided to extend it to conduct a complete review of I&A's efforts with all fusion centers.

Pilot Project Results

The results described improvements made since the pilot's inception and included recommendations for increasing performance, efficiency, quality and timeliness of responses, and overall program effectiveness. For example, I&A should assist states in developing priority information needs to reflect each fusion center's top priorities and focus areas for the upcoming year. Some of the top priorities for the pilot fusion centers include threats to critical infrastructure and prison radicalization. These information needs give I&A an "accurate picture of each fusion center's mission-critical intelligence support needs."¹¹ Identifying needs may encourage dialogue between DHS and fusion centers, as well as direct analyst-to-analyst exchanges. I&A also may use the priority needs to inform its production planning.

¹¹ *Enhancing DHS Information Support to State and Local Fusion Centers: Results of the Chief Intelligence Officer's Pilot Project and Next Steps*, Centra Technology, February 20, 2008.

I&A is working to improve its response time and critical needs assessments for fusion centers through the pilot project. One I&A representative said that it reflects poorly on DHS when information requests from state and local officials do not receive timely or sufficient attention. Another DHS official reported that, prior to the pilot, the interaction between the Offices of Operations Coordination and I&A was not streamlined. As a result, there was some friction over who had what information and who was responsible for tasking the requests. The pilot project attempted to formalize the process to determine information flow and needs.

Operating Outside the Established Request for Information Process

Several fusion center officials and I&A representatives reported that the information flow to and from DHS is inconsistent and the Request for Information process still needs improvement. For example, many I&A officers assigned to fusion centers rely on prior informal relationships with the National Operations Center or I&A personnel to obtain information, rather than using the established Fusion Cell request process. In addition, some fusion center personnel rely on their I&A officers, or on previously developed DHS contacts, to obtain information rather than navigate DHS' information system or the National Operations Center Fusion Cell.

Additional Needs for Law Enforcement and Immigration Information

Some of the information that interests fusion center personnel is incomplete, classified intelligence from the intelligence community, which could be provided by I&A. However, many state and local personnel desire access to law enforcement information that is more readily available from DHS' law enforcement components, such as ICE and CBP, or immigration information managed by U.S. Citizenship and Immigrations Services (USCIS). A State and Local Program Office official said that DHS has a great deal of information at its disposal that could be useful to state and local authorities, such as immigration and law enforcement information in databases managed by CBP, ICE, and USCIS. As I&A employees, the deployed officers may not be best suited to provide fusion center personnel with information from those databases, which are largely under the control of other DHS components.

Navigating DHS' Complex Organization Is More Efficient When I&A Representatives Are Deployed

The majority of fusion center officials whom we spoke with reported frustrations when navigating DHS' complex organization, and are confused by the department's structure. As a result, state and local

officials rely on their assigned I&A officer for fast, efficient, and adequate responses to their information needs. In response, I&A officials said that I&A continues to identify ways to improve the Request for Information process. For example, one I&A representative said that when there is an administrative request, such as a Request for Information about security clearances, the representative refers the request to I&A's State and Local Program Office, who could be immediately and appropriately tasked.

In another example, should a request involve an analytical product, the representative refers the request to one of I&A's analytical branches for resolution. To discourage the practice of several fusion center officials contacting multiple DHS components directly for information, another I&A representative suggested creating a single email address to receive requests from fusion center officials and provide one "DHS answer." DHS is taking steps to facilitate efficient and coordinated communications between it and the fusion centers by enhancing I&A's Request for Information process and by requesting that each state that has multiple fusion centers designate one of its centers as the primary point of contact with DHS.

Analytical Training, Working Groups, and Conferences That Target Fusion Centers Are Viewed As Beneficial

Fusion center officials reported benefits from DHS communications, training, and outreach efforts, as these efforts enhance state and local officials' understanding of the federal intelligence community and their role within the community. However, fusion center officials expressed a need to obtain more structured and formalized analytical training to improve their ability to generate products for the intelligence community, and to facilitate coordination and communication between DHS and the fusion centers. Fusion center officials also reported that budget constraints limit their ability to send personnel to out-of-state training. One fusion center director said funds are not routinely available to send personnel to off-site training or conferences, and it can be difficult convincing state governments to fund such travel. A number of fusion center officials suggested that DHS conduct training outside of the Washington, DC, metropolitan area and explore the feasibility of online training modules to provide low- or no-cost training to state and local field personnel.

I&A Is Developing Training for State and Local Governments

The Implementing Recommendations of the 9/11 Commission Act of 2007 mandates that I&A develop training opportunities for state and local

government officials.¹² According to the Deputy Under Secretary for Operations, I&A is developing specific training plans to support the needs of state and local analysts and deployed I&A officers. Specifically, I&A divisions have developed targeted training opportunities for state and local government officials. These I&A divisions participate in, coordinate, and host analytical exchanges, working groups, workshops, training sessions, and conferences to develop I&A's relationship with fusion centers. Although subject matter varies, focus areas include maritime and border security, extremism and radicalization, programmatic and planning elements, and state intelligence requirements.

I&A issues information related to analytical training in its weekly training newsletter. The newsletter provides descriptions of intelligence-related courses, such as Best Practices in Community Collaboration, Intelligence Oversight and Information Handling, and Analytical Thinking and Presentation. I&A has conducted Reports Officers training and intelligence writing courses, and is working with DHS' Office for Civil Rights and Civil Liberties and Office of the Chief Privacy Officer to develop privacy and civil liberties training, as required by the *Implementing Recommendations of the 9/11 Commission Act of 2007*.

Working Groups and Conferences Have Been Established To Enhance Coordination

To ensure that DHS is working toward coordinating with fusion centers, I&A personnel are also involved in various working groups and committees. For example, the National Fusion Center Coordination Group, co-chaired by I&A's State and Local Program Office program manager and the FBI's Deputy Assistant Director for the Directorate of Intelligence, was established as part of the Information Sharing Environment to oversee progress and encourage collaboration on the nationwide Fusion Center Initiative. The National Fusion Center Coordination Group operates with the full participation of state and local officials to help ensure that the federal government's efforts to work with fusion centers are coordinated and carried out efficiently. Additionally, I&A's State and Local Program Office helps coordinate the annual, jointly planned DHS and Department of Justice National Fusion Center Conferences, which were held in Destin, Florida, in March 2007, and in San Francisco, California, in March 2008.

¹² Public Law 110-53 § 511.

Deployed I&A Officers Participate in Various Forums To Facilitate Communication and Coordination

Deployed I&A officers said that they participate in or lead working groups, briefings, planning meetings, and governance committees designed to improve information sharing and coordinate state, local, regional, and national efforts. I&A officers serve as advisors on fusion center governing boards and planning committees, such as the Maryland Coordination and Analysis Center's Anti-Terrorism Advisory Council, the Alabama Fusion Center Advisory Board, the Mississippi Fusion Center Steering Committee, and the National Capital Region Fusion Center Regional Programmatic Working Group.

In addition, I&A officers may attend or lead sessions at regional forums, outreach groups, and homeland security task forces whose members include federal, state, and local intelligence and law enforcement representatives. I&A officers also participate in regional consortiums such as Southern Shield, which unites law enforcement and fusion center personnel in the Southeast region. I&A officials said they have hosted many fusion center officials in Washington, DC. One fusion center director reported that a classified intelligence briefing given in Washington in June 2007 was a valuable experience. The State and Local Program Office has also given briefings in the field to fusion center personnel and state and local government officials, such as governors and state Homeland Security Advisors.

Recommendations

We recommend that the Under Secretary for Intelligence and Analysis, in coordination with relevant DHS components:

Recommendation #1: Develop a plan to improve the adequacy, quality, and timeliness of responses to Requests for Information, and identify designated points-of-contact between I&A and fusion centers to receive, task, and respond to information needs.

Recommendation #2: Develop a plan to expand analytical training courses, provide additional course locations, and explore the feasibility of online training modules to provide low- or no-cost training to state and local fusion center personnel.

Management Comments and OIG Analysis

We evaluated I&A's written comments and have made changes to the report where we deemed appropriate. A summary of I&A's written response to the report's recommendations and our analysis of the response follows each recommendation. A copy of I&A's response, in its entirety, is included as Appendix B.

I&A Response: I&A concurred with recommendation 1. In its response, I&A said that it has created a single point of service to increase the ease of use, efficiency, and quality of support for its state and local fusion center partners. This single point of service provides fusion centers with a one-stop shop for DHS information and intelligence support. It employs a streamlined Request for Information process to ensure that I&A's partners' needs are addressed quickly and effectively.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and open. This recommendation will remain open pending receipt of documentation that describes the current single point of service and the streamlined Request for Information processes, as well as the way in which I&A will measure and document improvements in its ability to respond quickly and effectively to the information needs of fusion centers.

I&A Response: I&A concurred with recommendation 2. In its response, I&A said that Section 503 of the *9/11 Commission Act* mandates that DHS develop training curricula on the intelligence cycle for state and local officials, using existing training programs as appropriate and assessing needs of the target audience. The DHS Intelligence Enterprise Training Working Group was formed to ensure the fulfillment of the intelligence training-related requirements in the *9/11 Commission Act*. As a result, this working group has developed and delivered the DHS Analytic and Critical Thinking Skills Workshop, which is mobile training that combines elements of critical thinking, analytic tools, techniques, and writing. I&A said that it has delivered 4 workshop classes to more than 80 state and local students; and has plans to offer training to another 140 state and local analysts over the next year. This training is delivered regionally at sites readily accessible to fusion center personnel.

Additionally, I&A said that it is pursuing a more flexible delivery system for DHS' Basic Intelligence and Threat Assessment

Course, which is currently only offered at facilities in the Washington, DC, metropolitan area. I&A also plans to develop the Homeland Security Intelligence Specialist Certificate program and offer modules through mobile training teams at regional facilities nationwide. Further, I&A is working with federal partners to develop and provide critical training to state and local officials at fusion centers nationwide.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and closed. No further reporting is necessary.

Office of Intelligence & Analysis' Coordination Within the Department of Homeland Security Is Progressing, But Major Challenges Still Exist

To develop its role and relationship with fusion centers, I&A is working to coordinate internally among its divisions and externally among other DHS components. I&A has experienced some successes in this effort. Most notably, I&A is shifting its analytical focus and reporting to meet the needs of state and local officials more effectively. However, I&A's coordination and support among some DHS components appears inconsistent, and several communication and management difficulties challenge I&A's ability to fulfill its mandate as the executive agent for DHS' fusion center program.

Fusion Center Program Coordination and Support Within I&A Divisions Is Evolving

State and Local Program Office officials said that they interact with all I&A divisions on DHS' fusion center program. These divisions must work together to ensure that the program meets its objectives. The extent to which the State and Local Program Office interacts with each I&A division varies according to programmatic or operational needs. For example, the program office works with the Production Management division to coordinate and generate intelligence products for federal, state, and local use. The State and Local Program Office assists in the development of *DHS' Interaction with State and Local Fusion Center Concept of Operations* plan, which is led by I&A's Information Sharing and Knowledge Management division. Also, the program office coordinates with the Collection Requirements division to aid in the identification of federal, state, and local intelligence needs, and with the Homeland Environment Threat Analysis division to provide analytic and

oversight support to the State and Local Fusion Center's pilot project concerning the processing of Requests for Information.

Some Internal Coordination Challenges Exist Within I&A

Despite the importance of all I&A divisions participating in the fusion center program, coordination and support among some I&A divisions remains inconsistent. Although fusion center officials, I&A deployed officers, and I&A divisions have reported successes, additional challenges exist. For example, one I&A official said, "I&A divisions are playing in the same sandbox but building their own castles." Another I&A officer suggested that coordination and communication among I&A divisions is confusing and varies widely. Some divisions are more helpful than others in obtaining information requested by fusion centers.

I&A personnel also noted that some divisions may not have a clear understanding of the State and Local Program Office's mission, responsibilities, and activities. This ambiguity leads to confusion over roles and responsibilities of the office, slows coordination, and hampers communications among the divisions. Some I&A officials said that internal coordination is further challenged by personality-driven tensions and confusion about meeting state and local needs.

Efforts To Address Coordination Challenges

As a result, I&A has begun taking measures to ensure that its divisions understand the overall mission and goal of DHS' fusion center program. I&A is devising an internal plan to meet the needs of state and local partners. More important, I&A officials said that I&A is directing its attention to state and local entities and the divisions have been instructed to tailor analytical products to meet state and local customer needs. Greater internal coordination of the fusion center program's mission is essential for DHS to succeed in its involvement in the nationwide Fusion Center Initiative. Executing a successful program and coordinating with external partners relies on I&A's ability to coordinate more effectively within its internal divisions.

I&A Coordination With and Support From Other DHS Components Requires Additional Attention

To fulfill its role as the department's executive agent for the nationwide Fusion Center Initiative, I&A coordinates with and needs support from other DHS components. However, coordination and support among a number of DHS components appears inconsistent, with some successes and several challenges reported by fusion center officials, I&A officials,

I&A deployed officers, and DHS component representatives. Communications among I&A, fusion centers, and DHS components are sometimes conducted informally or on an *ad hoc* basis, which may exclude relevant parties with equities in information sharing on a local or national level.

Some DHS Fusion Center Support Roles Are Not Clearly Understood

Many DHS components already coordinate with state and local government authorities. However, as stated in DHS' State and Local Fusion Center Support Implementation Plan, there is a need to work with fusion centers "as a Department, not as a group of separate entities." As an Operations Coordination official noted, greater transparency and an enhanced understanding of respective roles in DHS' fusion center program is important. In addition, I&A representatives reported that more transparency and increased communication are essential to ensure that all relevant components are consulted on decisions that may affect their roles in the fusion center program.

Fusion Centers Request DHS Component Representatives

A majority of state and local officials we spoke with expressed a desire that representatives from DHS components be assigned to their fusion centers. Some fusion center officials said that although they requested that DHS components such as ICE, CBP, or USCG assign a representative to their fusion center, some requests have not been fulfilled. Budget constraints were the reason most often cited for DHS components' inability to assign personnel to fusion centers. One fusion center official requested a USCG representative but was told that resource constraints made it difficult to assign an officer to the center. Another center official reported that he requested a CBP officer but has not yet received confirmation that one would be deployed.

Although we encountered ICE, CBP, and TSA personnel as well as DHS National Protection and Programs Directorate Protective Security Advisors working at fusion centers, we did not seek to determine the extent to which representatives from DHS operational components are assigned to fusion centers. However, few DHS components have assigned personnel to fusion centers, partly because the newer fusion centers are developing needs and resource requirements and DHS components have limited resources to fulfill competing priorities. The few DHS component representatives assigned to fusion centers is apparent when comparing DHS participation at fusion centers with that of other federal agencies such as the FBI or National Guard Bureau. Most of the fusion centers that we visited were co-located with FBI Joint Terrorism Task Forces or

received other support from FBI resources and personnel. One fusion center had five National Guard counter-drug analysts, while another center had three intelligence analysts from the FBI.

According to the *Implementing Recommendations of the 9/11 Commission Act of 2007*, it is a priority for DHS to assign representatives from CBP, ICE, and USCG to border-state fusion centers.¹³ DHS' State and Local Fusion Center Support Implementation Plan also recommends assigning personnel from DHS components other than I&A. One State and Local Program Office official suggested that a fusion center near a large seaport might prefer to have a representative from USCG, rather than a representative from one of I&A's analytical divisions. Conversely, officials from a fusion center in a land border state might prefer a Border Patrol agent instead of a USCG officer. However, few fusion center officials we spoke with seemed inclined to refuse any personnel from any DHS component.

Efforts To Address More Effective Coordination and Communication

Formal working groups, such as the Information Sharing Governance Board, have formed to address some of these concerns and barriers that affect communication and coordination. This board is a DHS-wide forum that provides strategic oversight to the department's information sharing activities. It is responsible for ensuring consistency in information sharing and collaboration on policies across the department, and assists in decision-making policies related to DHS' support and interaction with fusion centers. The board provides a forum for senior DHS intelligence, operational, and management leaders to ensure consistent governance, both internally and externally, when interacting with the fusion centers.

Under the auspices of the Information Sharing Governance Board, the Information Sharing and Collaboration Council is the coordination body that addresses information sharing issues, including those that support fusion center activities. The council drafted *DHS' Interaction with State and Local Fusion Centers Concept of Operations* plan.

Among the various members of the council, the Office of Operations Coordination has many connections with DHS' fusion center program. I&A collaborates with Operations Coordination on initiatives such as the Fusion Center Concept of Operations plan, the Homeland Security Information Network, the Request for Information pilot project, and National Operations Center activities. According to Operations Coordination officials, the relationship with I&A is improving. However,

¹³ Public Law 110-53, § 511.

Operation Coordination officials expressed a desire for better communication to ensure that their office receives proper visibility on and awareness of interagency working groups and activities related to its role in DHS' fusion center program.

Coordination Progressing Well With the Offices of the Chief Privacy Officer and Civil Rights and Civil Liberties

The Offices of the Chief Privacy Officer and Civil Rights and Civil Liberties have critical roles in ensuring that DHS' fusion center program is carried out in accordance with all applicable privacy and civil rights regulations, laws, and constitutional protections. Officials from both offices said that coordination with I&A is progressing well. According to I&A officials, these offices are essential partners in DHS' fusion center program.

Each office has participated in privacy guidelines committees and working groups related to fusion centers and information sharing. Also, the offices have been involved in drafting DHS' State and Local Fusion Center Concept of Operations plan, pursuant to guidelines set forth in the *Implementing Recommendations of the 9/11 Commission Act of 2007*.¹⁴ At the conclusion of our fieldwork, the concept of operations plan was in the final stages of review, as the Privacy Office worked to finalize its Privacy Impact Assessment.

As information sharing efforts expand, it will be even more critical for DHS and fusion centers to work on developing privacy, civil rights, and civil liberties procedures to protect information and systems. Both the Privacy and Civil Rights and Civil Liberties offices provide relevant training and guidance to fusion centers to support these efforts. Both offices work with I&A to ensure that fusion centers are operating in accordance with current statutes and guidelines. In addition, these offices assess systems, information flows, and information use to ensure that processes and procedures are in compliance with applicable privacy laws.

Fusion center personnel also receive training to assist in complying with Title 28 Code of Federal Regulations Part 23. This regulation governs criminal intelligence systems that are operated by, or on behalf of, state and local law enforcement agencies and use certain federal funds. The regulations are intended to ensure that criminal intelligence systems operate in compliance with an individual's privacy and constitutional rights. Fusion centers receive assistance from the Offices of Privacy and Civil Rights and Civil Liberties in developing policies to comply with

¹⁴ Public Law 110-53, § 511.

these regulations. The Mississippi Analysis Information Center and the West Virginia Joint Intelligence Fusion Center, for example, are two fusion centers that have received privacy training.

Further, I&A's State and Local Program Office is working with the Offices of Privacy and Civil Rights and Civil Liberties to complete its Privacy and Civil Rights and Civil Liberties Impact Assessments. These offices are also working to develop privacy and civil rights and liberties training.

I&A Coordination With FEMA Is Effective and Encourages External Collaboration by Providing Technical Assistance

The Federal Emergency Management Agency's (FEMA) Grants Programs is responsible for providing training, funding for equipment purchases, support for planning and executing exercises, and technical assistance and other support to assist state and local jurisdictions to prevent, respond to, and recover from acts of terrorism. I&A has experienced many successes coordinating with FEMA on the Technical Assistance Program. I&A's training and outreach efforts with FEMA's Technical Assistance Branch have also encouraged greater federal, state, and local collaboration.

The Technical Assistance Program, a joint endeavor between DHS and the Department of Justice, offers training-related activities and subject matter expertise to state and local entities, including fusion centers. It is designed to enhance interoperable communications among federal, state, and local emergency responders and public safety officials.

The Technical Assistance Program receives service requests from new, developing, and established fusion centers. The program's services include:

- Fusion center governance structure and authority guidance;
- Fusion process orientation;
- Training;
- Concept of operations development;
- Privacy and civil rights and liberty policies development; and
- Administrative and management assistance.

The program's services support the implementation of the Fusion Center Guidelines and the Information Sharing Environment Implementation Plan to develop and enhance the fusion process nationwide.

Fusion Center Experiences With the Technical Assistance Program

The majority of fusion center officials we spoke with said their experiences with the Technical Assistance Program have been positive. Fusion center officials said that program personnel delivered timely and satisfactory services. However, some fusion center officials suggested that the program's services could be enhanced to fit the needs of more advanced fusion centers better. New and developing centers primarily request basic services such as concept of operations development, while more established centers would benefit from services such as grants writing, analytical training, and how to integrate better with federal, state, local, and private sector partners. In addition, an online request process could increase request submission efficiency and facilitate more timely responses.

Although coordination continues to evolve, some fusion center officials and I&A personnel reported that coordination between I&A and FEMA Grants Programs could be improved. For example, one fusion center representative said that coordination between the two entities is inconsistent, as FEMA Grants Programs handle funding, while I&A develops the intelligence expertise of fusion centers. According to this official, inconsistent coordination between the two DHS components resulted in redundant state efforts to align their activities and policies concerning training requests and grant writing. As another example, an I&A officer assigned to a fusion center reported that FEMA grant managers are not well-integrated into DHS' fusion center program. This has resulted in confusion delivering adequate Technical Assistance Program services to the officer's fusion center.

DHS Component Roles, Support, and Coordination in the Nationwide Fusion Center Initiative

I&A's State and Local Program Office is responsible for determining the current level of support provided by DHS components to the fusion centers and coordinating the effort to integrate components into the nationwide Fusion Center Initiative. DHS components' information and expertise have great value if they are tailored to the fusion centers' specific needs. Through their fusion center representatives, DHS components may also gain useful, first-hand jurisdictional knowledge on issues such as local threats and vulnerabilities. However, an I&A State and Local Program Office official said that some fusion centers may not need a full-time DHS component representative. A part-time representative may be sufficient to fulfill a fusion center's needs.

DHS components operate in multiple locations throughout the country, sometimes in close proximity to a fusion center. Component officials may determine that assigning a representative to a fusion center is not necessary if the representative can be made available to the fusion center on an as-needed basis. Often, fusion center personnel said that DHS component representatives make themselves available to the fusion centers, even if they are not directly assigned to a fusion center. Some fusion centers have workstations for DHS component personnel to use on an as-needed basis.

In addition, there is a larger issue concerning which DHS component would have operational control over assigned personnel: I&A or another DHS component. These concerns could be mitigated by making assignments part-time or temporary, and clearly defining reporting structures and requirements while on assignment. Tracking performance metrics might also ensure that DHS and fusion centers are realizing both qualitative and quantifiable benefits from the assignments.

Despite these concerns, DHS should leverage its component presence and local knowledge to support its fusion center program. Calling fusion centers potential “force multipliers” for DHS, a State and Local Program Office official said that DHS component field offices are encouraged to identify what fusion centers need from DHS, and what fusion centers can offer DHS. Information sharing can be a force multiplier for DHS by making state-level information more readily available to DHS intelligence specialists. However, I&A has yet to establish a systematic approach to identifying specific instances where these benefits could be realized across the department.

Defining DHS Operational Component Roles and Support Is Ongoing

I&A coordinates with DHS operational components on information sharing and intelligence-related elements of DHS’ fusion center program. In particular, I&A interacts with ICE, CBP, USCG, and TSA on activities such as individual name checks, immigration and law enforcement database searches, and other activities related to each component’s mission and scope. Some DHS components are already interacting with fusion centers to help support operations and garner jurisdictional information from state and local communities.

ICE, the largest investigative arm of DHS, is responsible for identifying and eliminating vulnerabilities along the Nation’s border in economic, transportation, and infrastructure security. CBP is responsible for protecting U.S. borders by preventing terrorists and terrorist weapons from entering the country, while facilitating the flow of legitimate trade and

travel. The USCG protects the public, the environment, and U.S. economic interests in the Nation's ports and waterways, along the coast, on international waters, and in any maritime region as required to support national security. TSA protects the Nation's transportation systems to ensure freedom of movement for people and commerce.

To emphasize the importance of DHS component roles and needed support, I&A's Deputy Under Secretary for Operations testified before Congress on April 17, 2008, that DHS components such as ICE, CBP, TSA, and USCG "routinely work with state and local officers." Further, DHS components are "reach[ing] out to embrace fusion centers, with many planning on expanding their participation in future DHS budgets." This collaboration helps to improve state and local officials' understanding of DHS operations within their geographic areas and to establish common methods and practices of keeping their areas of responsibility secure. Assigning officials from DHS components to fusion centers would provide an effective method to connect fusion center officials to information that components have and the centers need.

Recommendations

We recommend that the Under Secretary for Intelligence and Analysis:

Recommendation #3: Evaluate the extent to which each I&A division is involved in the nationwide Fusion Center Initiative, and develop and execute a strategy to properly integrate all relevant I&A division roles and responsibilities into DHS' fusion center program.

Recommendation #4: Develop a strategy and execute a plan to increase support to state and local fusion centers, with law enforcement and intelligence personnel, by determining the extent to which representatives from DHS components should be assigned to fusion centers, and clearly define reporting structures and requirements while on assignment.

Management Comments and OIG Analysis

I&A Response: I&A concurred with recommendation 3. In its response, I&A said that the State and Local Program Office has made intra- and interagency coordination with fusion centers a major priority, and has conducted a series of internal coordination

sessions with DHS components and divisions to better integrate their participation.

I&A said that its Analysis and Production divisions have increased the level of support to fusion centers and their partners through its Reports Officer Program. This program has deployed several reports officers to the field and has enhanced the sharing of state and local raw information throughout the state and local community, and with the federal government.

Additionally, I&A's Homeland Environment Threat Analysis Division; the Critical Infrastructure Threat Analysis Division; and Borders, Weapons of Mass Destruction, and Health Threat Analysis Division regularly contact state and local customers to ensure that production is geared to state and local requirements. The Analysis and Production divisions are also working collaboratively to identify state and local fusion center priority information needs.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and closed. No further reporting is necessary.

I&A Response: I&A concurred with recommendation 4. In its response, I&A said that it is working with departmental leadership to more fully integrate DHS law enforcement and operational components with fusion centers. The discussions include the possible deployment or reassignment of component field personnel to state and local fusion centers, the development of further Technical Assistance Programs, and strengthened relationships between fusion centers and emergency operations centers.

Further, I&A stated it will establish a working group, chaired by a Deputy Under Secretary, to produce an organized and logical strategy that ensures maximum use of existing DHS resources to meet both fusion center and DHS requirements.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and open. The recommendation will remain open pending receipt of documentation that a working group is established and a plan created that describes the extent to which representatives from DHS components should be assigned to fusion centers, and also clearly defines the reporting structures and requirements while on assignment.

Additional Work Is Necessary To Align Fusion Center Funding and Activities With the Department of Homeland Security's Mission

As DHS' fusion center program is in its second operational year, evaluating its overall successes and challenges may be premature. However, for DHS to achieve the fusion center program's intended goals, additional program planning is necessary. Although I&A continues to collaborate with fusion centers on joint products, information sharing remains inconsistent. Further, funding shortfalls are a major concern as federal, state, and local officials determine how to sustain the fusion center program.

Despite these challenges, I&A can take near- and long-term steps to establish and ensure that program goals are appropriate, measurable, realistic, and achievable. I&A should develop effective strategies for achieving its goals and communicate program needs and intended outcomes more effectively.

National Strategy Supports Network of Integrated Fusion Centers

As a part of the President's 2007 *National Strategy for Information Sharing*, the federal government has a goal of creating a national, integrated network of fusion centers to enable the effective sharing of terrorism-related information. This network would promote state and major urban area fusion centers' achievement of baseline capabilities. It would also enhance fusion centers' ability to become interconnected with the federal government and with one another. Comments made by the DHS Secretary reflect the department's vision for the nationwide Fusion Center Initiative: "One of the department's top priorities is to work with state and local authorities and share information that helps to connect the dots on emerging threats."¹⁵ The Secretary emphasized that "[DHS is] working towards an era of increasing collaboration, and fusion centers are a great example of how partnerships can achieve great success."¹⁶

Priorities of I&A's Under Secretary include sharing information with state and local partners and reviewing I&A-generated products with a focus on state and local authorities. During his February 14, 2007, congressional testimony, I&A's Under Secretary said that he envisions a seamless,

¹⁵ DHS Office of the Secretary Press Release, July 27, 2006.

¹⁶ Office of the Director of National Intelligence Public Affairs Office News Release, March 8, 2007.

nationwide community of intelligence professionals working to ensure that nonfederal partners have timely and actionable information. Also, at an April 8, 2008, conference, the Under Secretary said he envisions a network of federal, state, and local intelligence and law enforcement professionals working together—supported by appropriate tools—to achieve a common goal of protecting the Nation.

However, despite the initiative's high-level visibility, I&A faces significant challenges in obtaining adequate support and necessary resources to plan and meet operational needs, goals, and expectations of its fusion center program.

Additional Program Planning Is Necessary To Achieve Intended Goals

When DHS' fusion center program was established in June 2006, I&A developed three primary standards to measure program performance:

- The number of fusion centers staffed with DHS personnel;
- The ability to share information among federal, state, and local analysts; and
- The number of joint intelligence products published with fusion centers.

Functional requirements and expectations have grown more rapidly than I&A's ability to plan for necessary administrative functions, operational needs, and support resources to meet those expectations. For example, the fusion center program has no written standard operating procedures to govern issues such as I&A officer roles and responsibilities, equipment use, information handling, clearance procedures, training requirements, and coordination protocols. Although I&A has contracted to develop its procedures and an officer desk reference guide, DHS' fusion center program remains challenged by not having operational policies and procedures.

Also, I&A officers are being placed in fusion centers without consistent tasking orders and written instructions. Consequently, the officers encounter problems with information technology needs, administrative and personnel matters, and programmatic and functional issues. I&A fusion center officers do not have clear guidance on how to get issues resolved. In addition, position descriptions were not initially created for the officers, nor were there adequate position classifications for regional coordinators.

Regional coordinators are responsible for overseeing fusion center coordination efforts in their assigned jurisdictions, and are intended to also supervise I&A deployed officers in their regions. Because reclassification has not taken place, and staffing levels in the field are inadequate to justify a supervisory position, regional coordinators were placed in fusion centers with no one to supervise. As a result, I&A's State and Local Program Office program manager has supervisory authority over all deployed officers. In bypassing essential steps in its business process, the program office has had difficulty meeting program staffing goals and expectations of the fusion center program.

Fewer Databases and Access Controls Could Improve Information Sharing

I&A measures its ability to share information with its federal, state, and local partners, in part, through the installation and use of unclassified and classified information sharing resources.

In its *State and Local Fusion Center Support Implementation Plan*, DHS identified information technology as one of the requirements for program success. In October 2007, the Government Accountability Office reported that DHS and the Department of Justice had 17 major network and 4 system applications to support homeland security efforts.¹⁷ To conserve time and limited resources, fusion center personnel said they want fewer databases and limits to the number of separate login accounts. This would reduce duplication of efforts, such as entering the same document into several different sites, and improve information access and centralize information sharing better. Appendix C lists the four main DHS-managed systems available to fusion centers.

In his February 26, 2008, testimony before Congress, I&A's Under Secretary said I&A is working to streamline and merge disparate classified networks into a single, integrated network—the Homeland Secure Data Network—to help increase the secure sharing of intelligence and other information. As of March 2008, I&A had installed 18 Homeland Secure Data Network terminals in fusion centers such as the New York State Intelligence Center, the Georgia Information Sharing and Analysis Center, and the Sacramento Regional Terrorism Threat Analysis Center. These centers have I&A officers and appropriate facilities to house secure information and systems. However, connectivity and information sharing is inconsistent at fusion centers without I&A officers or secure facilities. For example, a fusion center that does not have an I&A officer reported difficulty sending and receiving secure information to and from DHS.

¹⁷ *Federal Efforts are Helping to Alleviate Some Challenges Encountered by State and Local Information Fusion Centers*, GAO-08-35, October 2007.

I&A also has placed a priority on establishing a strong capability at the controlled unclassified information level. The majority of the fusion center officials we spoke with said that they most frequently use the Homeland Security Information Network and the Lessons Learned Information Sharing online resource.¹⁸ Other fusion center officials were not aware of all of the databases available to them at the controlled unclassified information level.

I&A Actions To Reduce Use of Multiple Databases

To provide fusion centers with a common method to share best practices, lessons learned, case studies, and other relevant intelligence information, I&A is developing the Homeland Security State and Local Intelligence Community network. This network is being established to consolidate and house relevant information for fusion centers, to provide guidance to DHS leadership on intelligence information sharing, and to provide a common forum for sharing intelligence information among federal, state, and local entities. By using an unclassified but restricted access portion of the Homeland Security Information Network portal and weekly teleconferences, the Homeland Security State and Local Intelligence Community provides a means for fusion centers and federal partners to collaborate on threat analysis. As of March 2008, there were more than 1,000 participating members from 42 states, the District of Columbia, and 6 other federal departments.

I&A's commitment to improving interconnectivity among the multiple classified and unclassified information systems is essential to the program's success. I&A needs to be committed to identifying and designating a system that can be easily accessed and navigated by its state and local partners, and properly maintained with current and relevant information.

I&A Divisions and Fusion Centers Are Collaborating on Joint Intelligence Products

I&A divisions such as Homeland Environment Threat Analysis and Production Management work with fusion centers to generate products such as threat assessments, bulletins, and alerts. As of March 2008, I&A's Production Management division disseminated five finished intelligence products that were produced jointly with fusion centers. The Arizona Counterterrorism Information Center, for example, produced a joint threat

¹⁸ The Lessons Learned Information Sharing online resource is a secure-but-unclassified restricted-access database used to share fusion center-related documents, such as best practices and standard operating procedures.

assessment for the February 2008 Super Bowl with DHS, the FBI, the National Counterterrorism Center, and other federal agencies. I&A officials said that they have initiated a Reports Officer program, which had written and disseminated 79 Homeland Intelligence Reports to the Intelligence Community as of March 2008. I&A's Reports Officer Branch is concentrating on the southwest border in coordinating with and training appropriate fusion center and state personnel. The branch is working with the deployed I&A field officers as well as local law enforcement, intelligence, and security entities in the public and private sectors to report information of value and to ensure that the local perspective is accurately represented to the intelligence community.

However, while the number of joint products may indicate a degree of collaboration among agencies and fusion centers, not all fusion centers have the training or resources to produce such products. Thus it is difficult to use this standard as a general measure of coordination among all fusion centers.

Funding Shortfalls Could Affect Sustaining I&A's Role As DHS' Executive Agent for the Nationwide Fusion Center Initiative

When DHS' fusion center program was established, there were no funds set aside in I&A's or in DHS' overall budgets to support the program. In its first year of operation, FY 2006 funds were reprogrammed to start the program. Congress has since authorized \$10 million per year, for FY 2008 through FY 2012, for DHS' fusion center program.¹⁹ I&A's entire budget is part of the National Intelligence Program, which incorporates all national-level intelligence, counterintelligence, and reconnaissance activities of the Central Intelligence Agency, the Department of Defense, and all civilian agencies and departments. The amount of funding that I&A and the Fusion Center Program received is classified, although the program received an unclassified \$8 million from the *Iraq Supplemental Appropriations Act of 2007*.²⁰

I&A received additional funding in FY 2007 and FY 2008, allowing it to deploy officers to fusion centers. For FY 2009, the President's unclassified combined budget request for I&A and the Office of Operations Coordination proposes a 9% increase from the FY 2008 enacted level.

According to State and Local Program Office officials and based on program staffing expectations, current funding levels are inadequate to

¹⁹ Public Law 110-53 § 511.

²⁰ *U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007*, Public Law 110-28 §3401.

allow the program to operate effectively and efficiently, to meet current program goals, or perhaps even to sustain itself in future years. The need for increased funding jeopardizes the ability of the State and Local Program Office to deploy additional officers or adequately equip its current officers with the tools necessary to be effective.

Senior federal officials cited the benefits of creating a national fusion center network and mandated I&A's involvement as the executive agent. However, budgetary constraints, hiring, and other administrative issues limit I&A's ability to develop adequate performance measures to evaluate success. These processes should be used to demonstrate and justify the value of DHS' fusion center program and to capture the capabilities, accomplishments, and worth of the program. Solid business process strategies would help ensure a uniform approach to I&A's interactions with fusion centers and streamline how I&A manages its executive agent responsibilities. Such strategies would further I&A's efforts to request, justify, and secure additional resources for the program.

Recommendations

We recommend that the Under Secretary for Intelligence and Analysis:

Recommendation #5: Develop a comprehensive performance plan that includes measurable performance standards to properly reflect successes and challenges in DHS' fusion center program, and establish clear justification for continued resource allocations.

Recommendation #6: In coordination with relevant DHS components, develop a plan to analyze connectivity among the department's unclassified and classified systems, streamline communications, and reduce redundancy across databases to improve interconnectivity among the multiple information systems used to share and obtain information from fusion centers.

Management Comments and OIG Analysis

I&A Response: I&A concurred with recommendation 5. In its response, I&A said that the Office of Management and Budget examiner required that I&A supplement its current performance measures to include the State and Local Program Office to ensure that sufficient planning, accountability, and resources were applied to the program. Additionally, the DHS Chief Financial Officer's Performance Analysis and Evaluation Office, which monitors

programmatic performance for planning and budgeting purposes, required information for a similar purpose. As a result, the program's performance measures meet the reporting requirements for both the Office of Management and Budget and DHS, and took into account the State and Local Program Office's goals and objectives. The programmatic efforts were coordinated with the Plans and Integration's Performance Management Branch and approved by the Chief Intelligence Officer.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and open. The recommendation will remain open pending receipt of documentation verifying that the Office of Management and Budget and DHS' Chief Financial Officer examined I&A's performance measures for the State and Local Fusion Center Program and determined the measures met the reporting requirements for both offices. In addition, documentation is needed that reflects the results of the complete assessment of the State and Local Program Office's programmatic efforts, which was coordinated with the Plans and Integration's Performance Management Branch and approved by the Chief Intelligence Officer.

I&A Response: I&A concurred with recommendation 6. In its response, however, I&A said that while this recommendation addresses a need far beyond the scope of the State and Local Program Office's authorities, DHS recognizes its role in state frustration over the multiple systems required to search for federal information. I&A said these coordination efforts are centered in DHS' headquarters and DHS component Offices of the Chief Information Officer.

I&A said that it works with other DHS elements in a number of joint efforts to improve interconnectivity with state and local partners. For example, the DHS Intelligence Systems Board and the Information Sharing Coordinating Council jointly established the Data Access, Sharing, and Intelligence Integration Integrated Project Team in April 2008. The team's primary purpose is to address issues arising from the *9/11 Commission Act of 2007* requirement to "establish ... a comprehensive information technology network architecture for [I&A] that connects the various databases and related information technology assets of [I&A] and the intelligence components of the Department in order to promote internal information sharing among the intelligence and other personnel of the Department."

I&A is also a participant in a number of federal efforts, including those of the Office of the Director of National Intelligence's Program Manager for the Information Sharing Environment and its various working groups, to streamline DHS and other national systems and improve the access of state, local, and other partners.

DHS policy continues to encourage the use of its Homeland Security Data Network and associated secure video teleconferencing systems as the primary conduit for intelligence and information exchange between the federal government and states. I&A further responded that the department encourages states to put as much information as possible on the Homeland Security Data Network in order to make relevant information accessible to the intelligence community at large.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and open. The recommendation will remain open pending receipt of documentation that:

- Lists all Homeland Security Data Network installations to date, as well as a plan that describes the projected dates and locations of future installations;
- Identifies I&A's plan to establish a strong capability to share information with fusion centers at the controlled unclassified information level; and
- Describes the role and capabilities of the Homeland Security State and Local Intelligence Community network.

Fusion Centers Are Concerned With Sustainability and Funding

Some fusion centers cannot operate without federal funding, and other centers may be forced to cease operations should federal funding be significantly reduced or eliminated. The fusion center officials we interviewed emphasized that sustainment planning and funding from the federal government is essential for the success of fusion centers. However, despite the existence of several grant programs from which fusion centers may receive funding, DHS does not have a dedicated grant program to fund fusion centers. State and local officials said it is crucial that state governments are notified about the federal government's plan for future fusion center funding and resource allocations so that they may properly plan for current and future fusion center operations.

Further, the Homeland Security Advisory Council—which provides advice and recommendations to DHS’ Secretary on matters related to homeland security—identified the need to continue to improve intelligence and information sharing as one of the top ten challenges facing DHS’ next Secretary. In its September 11, 2008, report, the council emphasized that several initiatives should be considered and supported in building information sharing.²¹ One initiative is to continue to improve intelligence and information sharing by expanding and sustaining fusion centers. According to the report:

“[i]ntelligence fusion centers at the state level are becoming an essential place for information sharing. [DHS should] expand and sustain existing fusion centers by completing the assignment of DHS intelligence officers in every fusion center, continue to build common standards and common platforms for information-sharing in the fusion centers, and seek mechanisms to provide sustained funding to fusion center efforts, especially those efforts that include technology and people.”²²

DHS’ Primary Funding Source for Fusion Center Capabilities and Resources

The Homeland Security Grant Program is DHS’ primary funding source for building and sustaining national preparedness capabilities. This grant program funds a range of preparedness activities that include planning, organizing, equipment purchase, training, exercises, program management, and administrative costs.

The Homeland Security Grant Program guidance incorporates restrictions and limitations related to how grant funds can be used. Generally, states can use FY 2008 program funds to establish and enhance their fusion centers. Funded activities must support the development of a statewide fusion process that corresponds with the Fusion Center Guidelines and the National Strategy for Information Sharing. Fusion centers must also strive to achieve baseline capability levels as defined by the Fusion Center Capability Planning Tool, included as a supplemental resource in the FY 2008 Homeland Security Grant Program guidance.

The Fusion Center Capability Planning Tool provides a framework of fusion center process capabilities to help identify areas of improvement, develop strategies to overcome shortfalls, and prioritize the expenditure of funds. To accelerate implementation of baseline capabilities at all fusion

²¹ *Top Ten Challenges Facing the Next Secretary of Homeland Security*, Homeland Security Advisory Council, September 11, 2008, page 8.

²² *Ibid.*

centers, DHS and the Department of Justice developed 11 targeted Fusion Process Technical Assistance Services.²³ Each service supports the implementation of the Fusion Center Guidelines and the Information Sharing Environment implementation plan to facilitate the nationwide development or enhancement of fusion centers.

Fusion Centers Do Not Have Specifically Dedicated DHS Funds

DHS does not have a dedicated grant program to fund fusion centers. Therefore, DHS does not solicit, score, or fund state grant applications strictly for fusion center or intelligence and information sharing activities. These activities are included in the broad scope of allowable preparedness-related activities—prevention, protection, response, and recovery—as requested by state and urban area jurisdictions via the grant application process for each respective Homeland Security Grant Program.

In addition, when Homeland Security Grant Program funds are disbursed, awards go directly to the state governments, which then set priorities and allocate funds within that state. Currently, DHS does not have the ability to track grant funds to each specific fusion center as, in most cases, the State Administrative Agency is the recipient. Within most states, the State Administrative Agency is responsible for providing subgrants to specific agencies or organizations for projects in accordance with respective investment justifications and homeland security strategies.

Many fusion center officials acknowledge that there are some funding difficulties at the state level; however, their primary concern is the amount and consistency of federal financial support and resources. Most fusion center officials we interviewed said that there is a need to dedicate funds specifically for activities and operations. Center officials emphasized that developing a national fusion center network and enhancing information sharing capabilities is a priority, but said federal support is critical to these efforts.

Other centers that are partly or fully supplemented with state funds are equally concerned about the federal and state governments' abilities to sustain centers in the future. As one fusion center director said, "it is hard, from an operational standpoint, to build a strategic plan for the future with an unclear financial outlook."

²³ *DHS-Department of Justice Fusion Process Technical Assistance Program and Services: Activities Overview*, September 2007 (Inaugural Issue).

Office of Intelligence and Analysis' Intelligence Officers Are Adding Value to Fusion Centers

We spoke to fusion center officials with and without deployed I&A officers. The majority of fusion centers with a deployed I&A officer reported major improvements in their interactions with DHS since an officer arrived. One fusion center director referred to the I&A officer as a “great asset.” Another fusion center official said that center staff were “extremely impressed” with the I&A officer’s performance. Many center officials said that their relationships with DHS are progressing well. I&A officers act as trusted liaisons or “go-betweens” to receive and disseminate information quickly to and from DHS and the fusion centers. Appendix D lists the fusion centers that we contacted during our review.

Intended Role for Deployed I&A Officers Versus Actual Role

Deployed I&A officers are tasked with assisting state and local law enforcement and emergency response providers in using homeland security information to develop threat assessments. Officers also review homeland security information from law enforcement agencies and other state and local entities to share with federal partners. Deployed I&A officers create intelligence products and help disseminate products to the appropriate personnel in the federal, state, and local law enforcement and intelligence communities. Further, DHS’ State and Local Fusion Center Support Implementation Plan states that these officers facilitate coordination, synchronization, and information flow between the fusion centers and DHS. The officers provide analytical and reporting expertise, coordinate with local DHS and FBI components, and provide DHS with local situational awareness and access.

Fusion center staff said that placing I&A officers in the centers personalized its relationship with DHS, referring to DHS as a previously faceless entity. Although some center officials view the deployed officers as jacks-of-all-trades, others are concerned that DHS is not marketing I&A officers as well as it could. Fusion center officials suggested that DHS provide more information to states regarding what DHS can offer to eliminate confusion as to the role and responsibilities of deployed I&A officers.

Interaction With DHS Is More Difficult for Fusion Centers Without Deployed I&A Officers

At centers without a deployed I&A officer, fusion center personnel reported difficulty interacting with DHS, particularly given the department’s size and complexity. These officials reported not knowing

which DHS component to contact regarding specific topics of interest. They suggested that I&A develop alternative means to share information with officials in jurisdictions without a deployed I&A officer. For example, an official from one fusion center without a deployed I&A officer said that communication with DHS could sometimes be confusing. The official described an incident involving a dirty bomb threat that the fusion center staff knew to be innocuous. However, the media reported the information as an actual threat. During the incident, the fusion center official received a telephone call from a DHS official who wanted to be briefed on the situation. Not knowing who the person was or why this individual was calling, the fusion center official referred the individual to DHS' National Operations Center.

The fusion center official emphasized that the situation could have been handed more efficiently if an I&A officer had been present at the center. Also, this official suggested that state representatives need better guidance on where to go within DHS to ask questions. When states are not sure where to request or send information, they err on the side of wide distribution, which may not be the best way to operate and could lead to information overload for federal, state, and local personnel.

Deployed Officers Often Assume Additional Responsibilities

To help alleviate similar issues, some I&A deployed officers do more than just support their assigned center. Officers sometimes assist neighboring fusion centers that do not have a deployed officer. DHS' Secretary emphasized this sentiment when he said:

“[t]here is no more effective way to connect the dots than by having our personnel sitting in a chair next to their local counterparts, providing them with information they need to make timely and informed decisions on how best to protect their community.”²⁴

However, when officers assist other centers, demands on their time increase and the support the officers can provide to the assigned fusion center decreases.

Although considerable work still needs to be done, deployed I&A officers are demonstrating added value to both DHS and fusion centers by serving as liaisons, improving information flows, and identifying communication entry points into DHS. As I&A officers rotate positions, presumably back to DHS I&A headquarters, they may bring with them valuable state and local expertise, awareness, and perspective. To meet fusion center needs

²⁴ “DHS Strengthens Intelligence Sharing at State and Local Fusion Centers.” DHS Office of the Secretary Press Release, July 27, 2006.

more precisely, I&A should identify its internal capabilities and the skills of its deployed officers. Additionally, deployed I&A officers should be provided with well-defined and written descriptions of their roles, responsibilities, standing orders, expectations, and procedures to guide their duties at the fusion center.

Deploying Intelligence Officers to Fusion Centers Has Been a Challenge for the Office of Intelligence and Analysis

DHS' fusion center program was designed to ensure that state and local officials are involved in DHS' information sharing efforts. According to the initiative's Strategic Plan, a major program goal was to establish DHS' presence in fusion centers by deploying DHS personnel. Initially, it was envisioned that DHS deployed personnel would link the federal government to state and local customers by embedding Fusion Center Teams with access to information, technology, and training to facilitate a two-way flow of information.

DHS envisioned staffing fusion centers with teams of three people: a team chief, an intelligence professional, and an operational professional. I&A assumed that each fusion center's greatest need would be for intelligence professionals. For operational professionals, the department hoped to engage DHS law enforcement personnel already working at a field office in the vicinity of the fusion center. As I&A implemented the program, it hired intelligence officers to staff fusion centers and regional coordinators to supervise the officers. However, budget and management constraints challenge I&A's ability to fulfill the deployment levels as initially envisioned.

Efforts To Meet Deployment Expectations Have Fallen Short

I&A has endeavored to meet expectations of deploying 35 officers to fusion centers by the end of FY 2008. DHS officials have emphasized the importance of supporting fusion centers. However, budget constraints and insufficient allocation of billeted positions to support I&A officer recruitment and deployments challenge I&A's ability to fulfill those expectations. As a result, in February 2008, DHS reduced the number of I&A personnel it expects to deploy to fusion centers by the end of FY 2008 to 26 officers.²⁵ However, in April 2008, I&A's Under Secretary

²⁵ Statement of Charles E. Allen, Under Secretary for Intelligence and Analysis Before the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment Committee on Homeland Security, U.S. House of Representatives, February 14, 2008.

said that I&A is committed to deploying 35 officers by the end of FY 2008.

Early Efforts To Staff Fusion Centers Used Internal I&A Resources

Most I&A officers were internally rotated from I&A divisions to staff DHS' fusion center program. Initially, I&A distributed internal email solicitations to its staff regarding fusion center openings. I&A fusion center officers were selected from a pool of qualified intelligence specialists who were already employed in various I&A divisions. Candidates who responded to the internal solicitation underwent a hiring process that included a written application package and interviews with senior I&A officials. As a condition of employment, the deployed officers signed a mobility agreement and agreed to serve for three years at their assigned fusion center.

As of March 2008, there were 19 I&A officers and 3 regional coordinators, of which 18 were internal I&A personnel, deployed to fusion centers. Of the 18 internal hires, 13 were recruited from I&A's analytical divisions. Because one of the regional coordinators is assigned to a fusion center that also has an I&A officer assigned, as of March 2008, 21 fusion centers have an I&A presence. However, it is unclear where the deployed I&A officers will be assigned once their current assignment is completed. State and Local Program Office personnel said that the officers could be assigned to a different fusion center or the officers may return to I&A headquarters in Washington, DC.

As of March 2008, one officer on a temporary duty assignment to a fusion center is technically still working for one of I&A's analytical divisions. An additional officer is employed under the *Intergovernmental Personnel Act*.²⁶ The authority to temporarily assign this officer is derived from the *Intergovernmental Personnel Act* Mobility Program. The Program allows temporary assignments of personnel to and from the federal, state, local, and tribal governments, and other eligible organizations, such as colleges, universities, or federally funded research centers.

Although the regional coordinators were intended to serve as supervisors of the I&A officers, as of March 2008, regional coordinators were not assigned supervisory duties because a supervisor is required to have at least three subordinates.

²⁶ *Intergovernmental Personnel Act*, 5 United States Code § 3371 et. seq. See also <http://www.opm.gov/PROGRAMS/IPA/>.

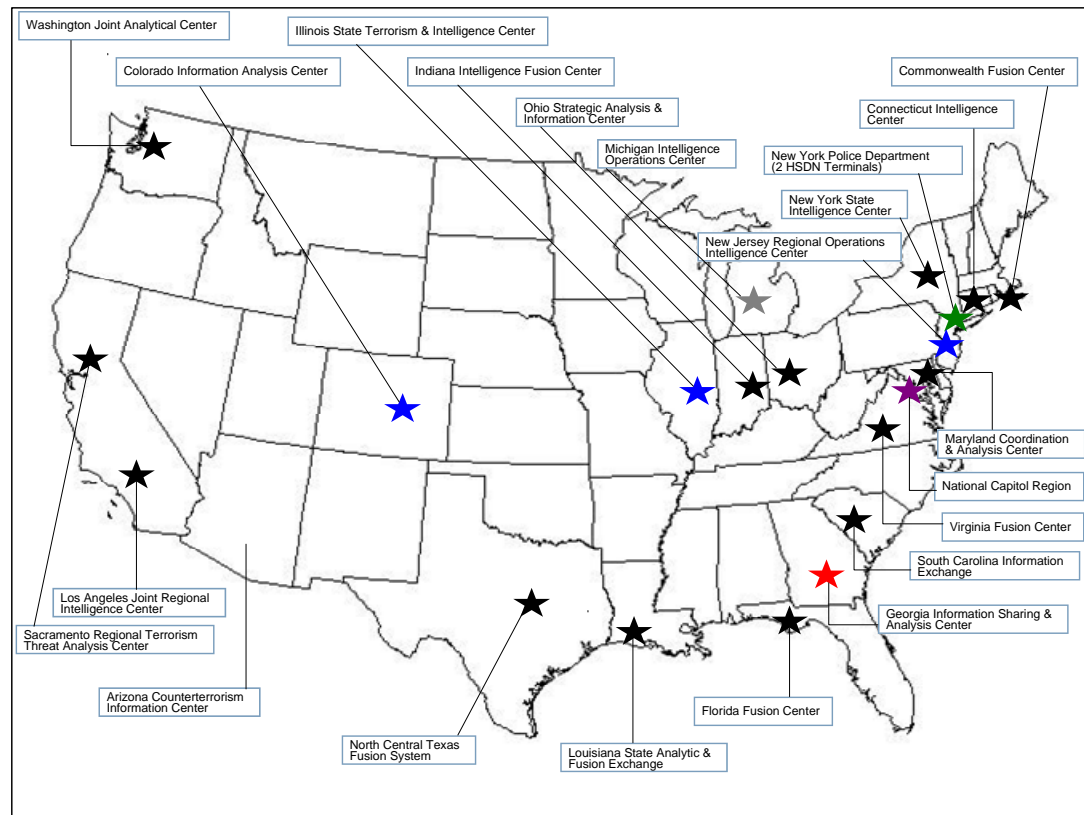
Additional Billeted Positions Have Been Allocated for I&A Officers, But More Will Be Needed

Seven billets were allocated to the DHS fusion center program when it was established in FY 2006. The program received 10 additional billets from other I&A divisions in FY 2007. For FY 2008, the program received another 6 billets from other I&A divisions, totaling 23 billet allocations. Each I&A division has a specific number of billets that represent an authorized full-time equivalent federal position. The billet describes the title, occupational series, pay grade, duties, skills, and responsibilities of either an occupied position or a vacant position within each I&A division. Billets can then be moved from one I&A division to another, with the Under Secretary's approval.

I&A uses both internal rotations and external vacancy announcements to hire intelligence professionals to staff fusion centers. According to I&A documents, I&A has recruited four I&A officers to deploy through the external hiring process. Of the additional billets received in FY 2008, three were used to staff fusion centers during the first quarter of FY 2008. According to I&A staff and supporting documents, I&A plans to recruit intelligence specialists to fill the remaining billets during FY 2008.

In November 2007, DHS' Secretary and the U.S. Attorney General requested that each state designate one primary fusion center with which DHS will coordinate. Eventually I&A will be expected to staff each state-designated fusion center with an I&A officer, fill the six envisioned regional coordinator positions, and staff some major urban area fusion centers with I&A officers. To address expanding needs, one I&A official said that ten more billets for FY 2009 are required. Through FY 2009 and beyond, I&A may be expected to provide as many as 60 or more intelligence professionals to staff fusion centers. Additional budgetary resources will be needed to meet this projected requirement. Alternatively, I&A may decide to move more billets from other I&A divisions to the staff fusion centers. Figure 2 depicts the locations of the deployed I&A officers.

Figure 2: I&A Resources at Fusion Centers as of March 2008



I&A Resources at Fusion Centers

3 Regional Coordinators, 19 Intelligence Officers, and 18 HSDN Terminals are installed in 22 locations. Information is current as of March 2008.

- ★ Regional Coordinator, Intelligence Officer, HSDN Terminal Installed
- ★ Regional Coordinator, HSDN Terminal Installed, No Intelligence Officer
- ★ Regional Coordinator, No Intelligence Officer, No HSDN Terminal Installed
- ★ Intelligence Officer, HSDN Terminal Installed
- ★ Intelligence Officer, No HSDN Terminal Installed
- ★ HSDN Terminal Installed, No Regional Coordinator, No Intelligence Officer

Source: OIG

Deployed Officers Are Assigned by Using Risk Factor Assessments

Before an officer is assigned to a fusion center, I&A conducts an assessment to gauge the center's capabilities and maturity level, and then tailors DHS support to meet each center's specific needs. I&A employs a risk-based methodology to assess the centers and then determines when an

I&A officer will be assigned. Initially, DHS prioritized New York and Los Angeles as “immediate” need cities for I&A officers.

Personnel assigned to the fusion centers are chosen after a comprehensive hiring process, according to DHS officials. I&A selects from a pool of suitable candidates who have demonstrated prior law enforcement or intelligence experience and are subject matter experts. Once selected, candidates undergo training and orientation, which includes an overview of DHS components’ missions and functions, component briefings, and elements of intelligence, analytical, and law enforcement processes.

As staff is identified and hired, some fusion centers may need to wait several years before I&A can assign an officer. For example, one I&A regional coordinator said that a fusion center official recently asked when the center could expect an I&A officer. The regional coordinator said I&A did not have a billet for an officer to serve at that fusion center in FY 2008 or FY 2009, and that it might not be until FY 2010 or FY 2011 before a billet is available to hire an I&A officer for the center.

I&A Explored Additional Hiring Processes To Deploy More Officers

To expedite the recruiting and hiring of officers, I&A explored the possibility of using direct hire authority for its staffing shortfalls. Direct hire is a less restrictive process that allows an agency to hire from a larger pool of candidates for a vacancy than can be hired under normal federal hiring procedures. I&A has direct hire authority within the National Capital Region for employees on the 0132 intelligence specialist occupational series. In the summer of 2007, I&A and DHS’ Office of the Chief Human Capital Officer sought permission from the Office of Personnel Management to exercise this authority nationwide, specifically for the purpose of hiring fusion center officers. I&A formally made this request in a June 2007 letter. As of February 2008, the Office of Personnel Management had not responded. However, I&A officials said that they do not expect the request to be approved.

We examined classified documents related to the number of occupied and available billets within I&A and discussed the information with senior I&A officials. The officials said that individuals have been identified for many of the vacant positions and the positions are in the process of being filled. However, I&A officials also said that the hiring process has been delayed because a new contractor assumed human resources responsibilities for I&A’s Office of Chief Human Capital Officer.

Backfilling Vacated I&A Headquarters Positions Was Not Necessary

Backfilling is the personnel practice of temporarily replacing a person in his or her usual position with another person. However, backfilling the vacated internal I&A positions was unnecessary because the employees' billet transferred with them when they were deployed. Some I&A officials said that staffing fusion centers with I&A division professionals was "robbing Peter to pay Paul." Technically, no vacancies were created when these I&A officers were assigned to fusion centers. However, if additional I&A personnel from I&A's analytical division are deployed to fusion centers, the vacancies created in those divisions will need to be backfilled.

Initial Officer Deployment Has Resource Implications for I&A

I&A's difficulty in staffing fusion centers is exacerbated as existing officers finish their assignments and need to be replaced, even though I&A continues to hire and deploy officers to additional fusion centers. As billets are shifted and other I&A divisions' staff are reduced, internal recruitments may increase the workload of I&A divisions that lose intelligence professionals to fusion center assignments. The divisions may also experience a decrease in the amount or quality of their analytical products.

One senior I&A official suggested that assigning I&A intelligence professionals to fusion centers has negatively affected I&A's analytical divisions. Specifically, the intended benefit may actually reduce I&A's overall ability to build its core capabilities, receive and analyze information, and deliver quality and timely intelligence products to its state and local customers. As one I&A official explained, if there are fewer staff or positions at headquarters to conduct analytical tasks, there may be increases in delayed, untimely, and insufficient responses to Requests for Information. However, the official suggested that I&A was aware of this risk, but serving state and local intelligence needs is DHS' niche within the intelligence community. Hence, I&A has deployed some of its highest-quality performers to fusion centers to represent DHS and support the nationwide Fusion Center Initiative.

The experience of the deployed I&A officers could prove valuable to I&A headquarters. Returning officers will be more aware of the intelligence and information-sharing needs of state and local officials and may improve I&A's focus and attention on specific needs. This benefit is predicated on the assumption that I&A officers will return to I&A headquarters after finishing their assignments. Comments from some

deployed I&A officers support the assumption that some are amenable to returning to I&A headquarters.

Reliance on Contract Support Could Create Program Sustainability Issues

DHS' State and Local Program Office, as well as other I&A divisions, rely heavily on contractor staff to handle personnel management and budget development and execution. Contractors coordinate and prioritize the delivery of information systems and secure communications, training, and field requests. Contractors said that they also assist with the preparation of talking points, presentations, publications, and program overview documents for department officials. In addition, contractors help coordinate and conduct fusion center program assessments to determine where I&A officers will be deployed.

Collectively, these duties afford contractors extensive knowledge of operations, processes, and procedures necessary to run the program effectively. Given current federal government employee staffing levels in the State and Local Program Office, it is unlikely that the State and Local Program Office would be able to manage the fusion center program successfully if contractor resources are significantly reduced. Although contractor support and expertise are often necessary to initiate programs and operations, valuable institutional knowledge would be lost if current contractors are no longer engaged in the fusion center program. To minimize vulnerabilities resulting from long-term reliance on contractors, I&A should work to build additional capabilities and bolster federal staff resources to manage, plan, and implement the program.

Recommendation

We recommend that the Under Secretary for Intelligence and Analysis:

Recommendation #7: Develop a plan to explore funding options and identify sufficient resources for DHS' fusion center program. Attention should be given to examining billeted positions and related funds. The State and Local Program Office should also be provided with the necessary staff to oversee and manage program implementation, and to continue their efforts to recruit, hire, and train additional qualified personnel to staff fusion centers.

Management Comments and OIG Analysis

I&A Response: I&A concurred with Recommendation 7. In its response, I&A said that DHS leadership is committed to the support and growth of the state and local fusion center network. The original program plan envisioned deploying up to 70 officers at a pace of 10 per year; however, current funding for the State and Local Program Office limits that anticipated growth rate. Given the necessary funds, billets, and administrative support, the Program Office could dramatically accelerate the pace of deploying officers and communications hardware and meet the needs of fusion centers well beyond the 70 field officers initially envisioned.

As of October 2008, I&A states that it deployed 25 Intelligence Operations Specialists and is on schedule to have 35 officers in the field by December 31, 2008.

I&A said that it has already reprioritized and reprogrammed funds into the State and Local Program Office, and will continue to make such efforts a priority in FY 2009 and beyond. I&A intends to program the required resources within its base budget, and will continue to work with the Office of Management and Budget and Congress to ensure that necessary resources are available to realize this plan and ensure the future success of the program.

OIG Analysis: We consider I&A's proposed actions responsive to the recommendation, which is resolved and open. The recommendation will remain open pending receipt of documentation that:

- Describes its progress in deploying 35 Intelligence Operations Specialists by December 31, 2008, and
- Reflects budgetary adjustments for State and Local Fusion Center Program resources that are programmed into I&A's base budget figures for FY 2009–FY 2012.

Appendix A

Purpose, Scope, and Methodology

Representative Bennie G. Thompson, Chairman of the House Committee on Homeland Security, requested that we assess whether DHS is providing adequate oversight and guidance for fusion centers, and what problems and challenges are being encountered as fusion centers develop.

Specifically, we determined:

- The extent to which I&A has been working to coordinate and develop its relationship and role with fusion centers;
- Whether fusion center funding and activities are aligned to further the department's mission;
- The merits of detailing I&A staff to fusion centers; and,
- Whether I&A is successful in backfilling positions used to staff fusion centers.

Our scope was limited to examining the roles of federal, state, and local fusion center participants and representatives. We did not include private sector or international fusion center partners. We examined geographical areas of interest, which included a sample of select fusion centers that illustrated the challenges faced by northern and southern border, coastal, and heartland states, as well as urban and rural communities, in information sharing efforts. During our fieldwork, we visited fusion centers in Arizona, California, the District of Columbia, New York, Georgia, Illinois, Michigan, Missouri, and Texas. We also conducted teleconferences with fusion center officials in Alabama, Mississippi, and Washington.

We conducted the majority of our DHS component interviews in the Washington, DC, metropolitan area. We interviewed officials from DHS' Offices of Policy, Chief Privacy Officer, Operations Coordination, National Programs and Protection Directorate, FEMA, TSA, CBP, ICE, and Civil Rights and Civil Liberties. We also interviewed officials from various I&A divisions, including the State and Local Program Office, Collections Requirements, Production Management, Information Sharing and Knowledge Management, Intelligence Watch and Warning, and Plans and Integration. In addition, we reviewed I&A policies, memoranda, and organization charts. These included DHS' State and Local Fusion Center Support Implementation Plan, capability and program guidance, grant programs, policy directives, concept of operations, training materials, and documentation on I&A budget and staffing.

Our fieldwork was performed between October 2007 and February 2008. This review was conducted under the authority of the *Inspector General Act of 1978*, as amended, and according to the Quality Standards for Inspections issued by the President's Council on Integrity and Efficiency.

Appendix B

Management Comments to the Draft Report

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

October 29, 2008

MEMORANDUM FOR: Carlton I. Mann
Assistant Inspector General for Inspections

FROM: Charles E. Allen *R. Machin*
Under Secretary for Intelligence and Analysis

SUBJECT: Response to Report: *DHS' Role in State and Local Fusion Centers is Evolving*

I wish to begin by thanking the Office of the Inspector General (OIG) for conducting a thorough and balanced investigation of the Department of Homeland Security's State and Local Fusion Center (SLFC) Program. I appreciate this opportunity to highlight the work we have done since the end of your data collection period last winter.

As the report recognizes, the importance of a national network of fusion centers cannot be overstated. The fusion centers serve as the very cornerstone of the President's National Strategy for Information Sharing beyond the federal community. The Implementation Plan for the Program signed by the Secretary outlined a broad Departmental approach, not merely an Office of Intelligence and Analysis (I&A) approach. Fully actualizing the potential of a national network of fusion centers will require sustained support from the entire Department, as well as our Federal partners, the States' own legislatures, and Congress.

In general, the OIG report provides appropriate recommendations for the time of its writing; however, the recommendations were based on an environment that has since changed significantly.

I would first like to mention the progress we have made in deploying people and tools to the fusion centers. As of October 2008, DHS I&A has deployed 25 Intelligence Operations Specialists. One officer is completing his on-boarding program and will deploy in November, three additional officers will begin their on-boarding program in the October/November timeframe; one officer is processing security; another four positions are currently in the interview process, and one other position has been advertised and closes this month. We are on track to have 35 officers in the field by the end of the year.

DHS installs the Homeland Secure Data Network (HSDN), the secret collateral network, in fusion centers for use by DHS staff and local fusion center analysts.

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In addition to providing resources to the fusion centers, DHS participates with our Federal partners in an effort to expand fusion center engagement by non-traditional participants. The SLPO is serving as a coordinating body to integrate the fire service and public health community into fusion center efforts, identifying key players, facilitating discussions, and developing a framework for sharing information/intelligence within sectors as well as across sectors.

The following outlines the Department's response to the seven recommendations of the report. I appreciate this opportunity to provide further information regarding the actions the Department has already taken to fulfill many of the recommendations outlined in the report.

Recommendation #1: *Develop a plan to improve the adequacy, quality, and timeliness of responses to Requests for Information, and identify designated points-of-contact between I&A and fusion centers to receive, task, and respond to information needs.*

As a follow-on to the pilot project mentioned in the OIG report, I&A created the Single Point of Service to increase the ease of use, efficiency, and quality of support for our SLFC partners. This single point of service provides fusion centers a one-stop shop for DHS information and intelligence support. It employs a streamlined Request for Information process that ensures that our partners' needs are addressed quickly and effectively. Through this process we have been able to better respond to the needs of the fusion centers.

Recommendation #2: *Develop a plan to expand analytical training courses, provide additional course locations, and explore the feasibility of online training modules to provide low- or no-cost training to state and local fusion center personnel.*

Section 503 of the 9/11 Commission Act mandates that DHS develop training curricula on the intelligence cycle for State and local officials, utilizing existing training programs as appropriate, and assessing needs of the target audience. The DHS Intelligence Enterprise Training Working Group was formed to ensure fulfillment of the intelligence training-related requirements in the 9/11 Commission Act.

One initial success has been the DHS Analytic and Critical Thinking Skills (ACTS) Workshop. This is mobile training that combines elements of critical thinking, analytic tools, techniques and writing. Since the OIG report was researched, we have delivered four ACTS classes to more than 80 State and local students. We will offer ACTS training to another 140 State and local analysts over the next year. As this class is delivered regionally at sites readily accessible to fusion center personnel, it reduces costs, offers analysts the opportunity to meet and work with other analysts in surrounding States, and enhances collaboration across the national fusion center network.

The DHS Basic Intelligence and Threat Assessment Course (BITAC) is also offered to State, local, and tribal officials with at least a SECRET security clearance. The I&A Intelligence Training Branch produced three deliveries of BITAC in 2008, and four deliveries are planned for 2009. At the present time, BITAC training is only offered at facilities in the Washington DC area, but we are pursuing a more flexible delivery system.

DHS I&A is developing the Homeland Security Intelligence Specialist Certificate program, a modular curriculum of key BITAC training blocks, broken out into short discrete courses. In the

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future (target FY10), the Intelligence Training Branch intends to offer these modules through mobile training teams at regional facilities located nationwide, greatly increasing accessibility.

DHS, in conjunction with the Office of the Director of National Intelligence's Open Source Center, has provided mobile Open Source Fundamentals training to State and local audiences at 12 fusion centers this year. This highly popular Open Source training provides the basics of open source exploitation and offers hands-on experience with open source tools and techniques.

In addition, the DHS Office of Civil Rights/Civil Liberties and the DHS Privacy Office are working with us to develop and deliver critical training to State and local officials at fusion centers nationwide. They are creating a flexible, modular curriculum to be implemented in two stages: initial design and testing of the materials, followed by rollout of core materials together with a "Training of Trainers" component. This training will begin next spring.

Recommendation #3: *Evaluate the extent to which each I&A division is involved in the Fusion Center Initiative, and develop and execute a strategy to properly integrate all relevant I&A division roles and responsibilities into the initiative.*

The SLPO has made intra- and interagency coordination with fusion centers a major mission priority. While the SLPO remains primarily responsible for day-to-day supervision of its field officers and execution of DHS relationships with fusion center partners, it has also conducted a series of internal coordination sessions with DHS components and divisions to better integrate their participation.

The SLPO created the State, Local and Tribal Integration Working Group to ensure the implementation of the 9/11 Commission Act. The goal of the working group is the coordination of all appropriate elements of DHS in the establishment and support of a national network of SLFCs. Representatives from across the Department meet regularly in this forum to enhance coordination.

I&A's Reporting and Production Division has increased its level of support to fusion centers and their partners through its Reports Officer Program. Several reports officers have been deployed to the field, and have enhanced the sharing of State and local raw information throughout the State and local community, and with the federal government. In the first nine months of this year alone, I&A has delivered over 200 Homeland Intelligence Reports to this expanded Homeland Security Community.

The I&A Homeland Environment Threat Analysis Division, (HETA) Critical Infrastructure Threat Analysis Division (CITA), and Borders, WMD, and Health Threat Analysis Division (BWHTA) now regularly contact State and local customers to ensure that production is geared to State and local requirements. In addition, the I&A field representatives work with the headquarters analysts on a daily basis to develop joint products. Fusion center analysts routinely partner with DHS and other federal analysts, further expanding the community of homeland security analysts.

The Analysis and Production divisions are also working collaboratively to build on the work begun in the pilot project to identify SLFC priority information needs (PINs). These PINs are

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providing guidance to I&A and other members of the IC on production requirements for this customer set.

Recommendation #4: *Develop a strategy and execute a plan to increase support to state and local fusion centers, with law enforcement and intelligence personnel, by determining the extent to which representatives from DHS components should be assigned to fusion centers, and clearly define reporting structures and requirements while on assignment.*

The SLPO is working assiduously with Departmental leadership to more fully integrate DHS law enforcement and operational components with fusion centers. Those discussions include the possible deployment or reassignment of component field personnel to SLFCs, the development of further Technical Assistance Programs, and strengthened relationships between fusion centers and Emergency Operations Centers.

A working group will produce an organized and logical strategy on behalf of the Department that ensures maximum utilization of existing DHS resources to meet both fusion center and DHS requirements. The working group is chaired by a Deputy Under Secretary.

Additionally, the I&A field representatives are successfully advancing component integration in their respective fusion centers at the local operational level. Through their efforts, several components have agreed to provide full- and part-time representation at SLFCs.

Recommendation #5: *Develop a comprehensive performance plan that includes measurable performance standards, which properly reflect successes and challenges in the Fusion Center Initiative and establish clear justification for continued resource allocations.*

The Office of Management and Budget (OMB) examiner required that I&A supplement its current performance measures to include the State and Local Program Office to ensure that sufficient planning, accountability, and resources are applied to the program. Additionally, the DHS Chief Financial Officer's Performance Analysis and Evaluation Office monitors programmatic performance for planning and budgeting purposes, and required the information for similar purposes.

The resultant performance measures meet the reporting requirements for both DHS and OMB and took into account the SLPO's goals and objectives, allowing for a complete assessment of programmatic efforts. This effort was coordinated with the Plans and Integration's Performance Management Branch and approved by the Chief Intelligence Officer.

Recommendation #6: *In coordination with relevant DHS components, develop a plan to analyze connectivity among the department's unclassified and classified systems, streamline communications, and reduce redundancy across databases to improve interconnectivity among the multiple information systems used to share and obtain information from fusion centers.*

While this recommendation addresses a need far beyond the scope of SLPO authorities, DHS recognizes its role in the States' frustration over the multiple systems required to search for federal information (Those efforts are centered in the DHS Office of the Chief Information Officer, and component CIO offices, not the SLPO). I&A works with other DHS elements in a number of joint efforts to improve interconnectivity with State and local partners.

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For example, the DHS Intelligence Systems Board (ISB) and the Information Sharing Coordinating Council (ISCC) jointly established the Data Access, Sharing, and Intelligence Integration Integrated Project Team (IPT) in April 2008. The team's primary purpose is to address issues arising from the requirement of the 9/11 Commission Act of 2007 (9/11 Act) to, "establish ... a comprehensive information technology network architecture for [I&A] that connects the various databases and related information technology assets of [I&A] and the intelligence components of the Department in order to promote internal information sharing among the intelligence and other personnel of the Department."

I&A is also a full participant in a number of Federal efforts, including those of the ODNI Program Manager for the Information Sharing Environment (PM-ISE) and its various working groups, to streamline DHS and other national systems and improve the access of our State, local, and other partners.

DHS policy continues to encourage the use of its Homeland Security Data Network (HSDN) and associated secure video teleconferencing systems as the primary conduit for intelligence and information exchange between the Federal government and the States. The Department encourages States to put as much information as possible on HSDN in order to make relevant information accessible to the IC at large.

The SLPO has purchased 45 HSDN installations this fiscal year, 25 of which have been installed to date. DHS has created approximately 250 State and local user accounts. The States are not responsible for the cost of the installation or operation of HSDN itself; these services are paid for by DHS. Recognizing that some fusion centers have been unable to fund the necessary facilities modifications to protect the sensitive data and equipment, DHS has contracted with a security integrator who will be responsible for coordinating the necessary facilities modifications to those fusion centers.

Recommendation #7: *Develop a plan to explore funding options and identify sufficient resources for the DHS Fusion Center Initiative. Attention should be given to examining billeted positions and related funds. The State and Local Program Office should also be provided with the necessary staff to oversee and manage program implementation, and to continue their efforts to recruit, hire, and train additional qualified personnel to staff fusion centers.*

DHS leadership is committed to the support and growth of the SLFC network, building upon the original Implementation Plan for the program, signed by the Secretary in 2006. The original program plan would deploy up to 70 officers at a pace of 10 per year, and current funding limits SLPO development to that growth rate. However, experience has shown that given the necessary funds, billets and administrative support, the SLPO could dramatically accelerate the pace of deployment of officers and communications hardware and meet the amply demonstrated needs of fusion centers well beyond the 70 field officers initially envisioned..

I&A has already reprioritized and reprogrammed funds into the State and Local Program Office and we will continue to make it a priority in FY2009 and beyond. It is our intention to make sure that the required resources are programmed into the base, and we will continue to work with

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OMB and Congress to ensure that necessary resources are available to realize this plan and ensure the future success of the Program

Appendix C
DHS-Managed Systems Available to Fusion Centers

System or Database	Functions	Sensitivity Level	DHS Component Manager	Information Shared
Homeland Security Information Network	DHS' primary nationwide information-sharing application for sharing sensitive but unclassified information, composed of more than 35 community of interest topic-portals such as Intelligence, Law Enforcement, and Emergency Management	Sensitive but unclassified	Office of Operation Coordination	Suspicious incident and pre-incident information, 24/7 situational awareness, unclassified bulletins, alerts, and analysis reports
Lessons Learned Information Sharing Fusion Center Resource	Secure but unclassified, restricted access database for sharing fusion center-related documents	Sensitive but unclassified	Federal Emergency Management Agency	Best practices, lessons learned, case studies, operating manuals, and document templates
Homeland Security State and Local Intelligence Community*	Unclassified but restricted access forum for fusion centers and federal partners to collaborate on threat analysis	Sensitive but unclassified	Office of Intelligence and Analysis, Office of Operations Coordination	Collaborative analysis and discussion among federal, state, and local intelligence partners via analytic conferences, conference calls, and briefings
Homeland Secure Data Network	DHS classified communications network system to which federal, state, and local users can post and manage information	Secret	Office of Intelligence and Analysis	Collateral-level homeland security data, reports, communications, intelligence summaries, email correspondence, and alerts
* Formerly a secure portal on Homeland Security Information Network Intelligence community of interest; still under development				

Appendix D
Office of Inspections' Fusion Center Sample, March 2008

Location	Fusion Center	OIG Site Visit or Conference Call	I&A Officer Deployed	Equipment Installed*
Alabama	Criminal Justice Information Center	Call	No	No
Arizona	Arizona Counterterrorism Information Center	Visit	Yes	No
California	Sacramento Regional Terrorism Threat Analysis Center	Visit	Yes	Yes
California	Los Angeles Joint Regional Intelligence Center	Visit	Yes	Yes
District of Columbia	Washington Regional Terrorism Analysis Center	Visit	No	No
Georgia	Georgia Information Sharing & Analysis Center	Visit	Yes	Yes
Illinois	Statewide Terrorism & Intelligence Center	Visit	Yes	No
Michigan	Detroit Fusion Center	Visit	No	No
Michigan	Michigan Intelligence Operations Center	Visit	No	No
Mississippi	Mississippi Fusion Center	Call	No	No
Missouri	Missouri Information Analysis Center	Visit	No	Yes
New York	New York State Intelligence Center	Visit	Yes	Yes
Texas	Texas Fusion Center	Visit	No	No
Texas	North Central Texas Regional Fusion System	Visit	Yes	Yes
Washington	Washington Joint Analytical Center	Call	Yes	Yes
<p>*Homeland Secure Data Network is installed in 18 fusion centers around the country, including the centers listed above and the following additional centers that we did not contact during our review: Maryland Coordination & Analysis Center, Virginia Fusion Center, Louisiana State Analytic and Fusion Exchange, Florida Fusion Center, Ohio Strategic Analysis & Information Center, Connecticut Intelligence Center, Massachusetts Commonwealth Fusion Center, New York Police Department Counterterrorism & Intelligence Divisions, Indiana Intelligence Fusion Center, South Carolina Information Exchange.</p>				

Appendix E
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